IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9443 of 2005

Between:

Khaja Miya, s/o Pedda Bakshu Miya, age 50 years,
r/o Nannoor, Orvakal Mandal, Kurnool District.

... PETITIONER

AND

1 The Assistant Commissioner of Endowments, Kurnool.
2 Sri Madhava Anjaneya Swamy Temple, rep., by its Executive Officer,

Nannoor Village, Orvakal Mandal, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a direction in the nature of writ of mandamus directing the 1st respondent to consider the representation of the petitioner dt.15-03-2005 and grant lease for the agricultural land in Sy.No.609 extent Ac.10.00 cents (dry) of Nannoor Village, Orvakal Mandal, Kurnool District and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.NARASIMHA SARMA

Counsel for the Respondent No.1: GP FOR ENDOWMENTS

Counsel for the Respondent No.2: Mr.V.Venugopal Reddy, Standing Counsel

The Court at the stage of admission made the following :

O R D E R:

This writ petition is filed seeking a direction to the first respondent to consider the representation of the petitioner, dated 15.3.2004, and grant lease of the agricultural land.

The petitioner was the lessee of the second respondent temple in respect of the agricultural land to an extent of Ac.10-00 cents in Sy.No.609 of Nannoor village, Orvakal Mandal of Kurnool District. The contention of the petitioner is that initially the lease was granted for three years from 2002 to 2005, on a lease amount of Rs.4,150/-. He states that he submitted a representation, dated 15.03.2005, to the first respondent for granting lease for the next six years, but the same has not been considered so far. Apprehending that the respondents would conduct fresh auction in respect of the leasehold rights of the land in question, the petitioner filed the present writ petition.

Heard the learned counsel for the parties.

The learned counsel for the petitioner submits that as the lease of the petitioner came to an end by March 2005, the respondents are taking steps to issue a notification for conducting auction of the leasehold rights of the land in question. In view of the above submission, and also in view of the facts and circumstances of the

case, I deem it appropriate to direct the first respondent to dispose of the representation made by the petitioner.

Hence, the writ petition is disposed of, directing the first respondent to dispose of the representation of the petitioner dated 15.3.2005 in accordance with law, before issuing any auction notification in respect of the land in question. No order as to costs.

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26th April 2005

Note: Issue copy in two days.

(B/o)

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To

1 The Assistant Commissioner of Endowments, Kurnool.
2 The Executive Officer, Sri Madhava Anjaneya Swamy Temple,

Nannoor Village, Orvakal Mandal, Kurnool District.

3 Two C.Cs. to the Govt.Pleader for Endowments,

High Court buildings, Hyderabad (OUT).

4 Two C.D.copies.